

1 JOHN F. CAVIN (Bar No. 88946)
2 STEVEN J. KAHN (Bar No. 234104)
3 Bardellini, Straw, Cavin & Bupp, LLP
4 2000 Crow Canyon Place, Suite 330
5 San Ramon, CA 94583
6 Telephone: 925.277.3580
7 Facsimile: 925.277.3591
8 Email: jcavin@bscb.com
9 skahn@bscb.com

10 Attorneys for Plaintiff
11 THOMAS J. KERRINS d.b.a.
12 SQUARE ONE REAL ESTATE & SQUARE ONE FINANCIAL

13 BRIAN D. HARRISON (Bar No. 157123)
14 VEENA A. MITCHELL (Bar No. 161153)
15 Sedgwick LLP
16 333 Bush Street, 30th Floor
17 San Francisco, CA 94104-2834
18 Telephone: 415.781.7900
19 Facsimile: 415.781.2635
20 Email: brian.harrison@sedgwicklaw.com
21 veena.mitchell@sedgwicklaw.com

22 Attorneys for Defendant
23 SCOTTSDALE INSURANCE COMPANY

24 IN THE UNITED STATES DISTRICT COURT
25 FOR THE NORTHERN DISTRICT OF CALIFORNIA

26 THOMAS J. KERRINS d.b.a. SQUARE
27 ONE REAL ESTATE & SQUARE ONE
28 FINANCIAL

29 Plaintiff,

30 v.

31 SCOTTSDALE INSURANCE
32 COMPANY, and DOES 1 through 20,
33 inclusive,

34 Defendants.

35 CASE NO. 4:13-cv-04266-EMC

36 STIPULATION AND [PROPOSED] ORDER
37 TO CONTINUE HEARING ON
38 SCOTTSDALE INSURANCE COMPANY'S
39 SUMMARY JUDGMENT MOTION AND
40 CASE MANAGEMENT CONFERENCE

1 Pursuant to Civil Local Rule 7-12, Plaintiff Thomas Kerrins d.b.a. Square One Real
 2 Estate & Square One Financial (“Kerrins”) and Defendant Scottsdale Insurance Company
 3 (“Scottsdale”), through their respective attorneys of record, stipulate and request that the Court
 4 enter an order thereon, to continue the hearing on Scottsdale’s summary judgment motion to
 5 May 29, 2014 (as well as continue the deadline for the opposition to such motion to May 15,
 6 2014, and the deadline for the reply to such motion to May 22, 2014), and to continue the date
 7 for the further Case Management Conference to May 29, 2014. In support of this stipulation,
 8 the parties state as follows:

9 1. On December 12, 2013, following a Case Management Conference in this
 10 matter, the Court ordered as follows: “The case is referred to private mediation. Private
 11 mediation is to be completed after MSJ is filed but no later than 5/9/14. ... Defendant’s motion
 12 for summary judgment shall be filed by 3/6/14. Opposition due 3/20/14. Reply due 3/27/14.
 13 Motion hearing and further CMC scheduled for 4/10/14 at 1:30 p.m. (subject to continuance if
 14 mediation is not completed.) An updated joint CMC statement shall be filed by 4/3/14.” (ECF
 15 No. 19.)

16 2. On March 6, 2014, Scottsdale filed its motion for summary judgment, noticing the
 17 motion for hearing on April 10, 2014 at 1:30 p.m. (ECF Nos. 22 - 25.)

18 3. Kerrins and Scottsdale have agreed to mediate the present matter jointly with the
 19 mediation of the underlying action (*Gabriela Tatranska and Drahotin Tatransky v. Kerrins*,
 20 Alameda County Superior Court, Case No. RG10507103), with Craig S. Meredith, Esq. of
 21 JAMS San Francisco on April 30, 2014.

22 4. The parties wish to complete the mediation in this matter before a hearing is had
 23 on Scottsdale’s summary judgment motion, and that any opposition to such motion and any reply
 24 in support of such motion be filed after the April 30, 2014 mediation is completed.

25 5. The first mutually agreeable date after the mediation for counsel for the parties for
 26 a hearing on Scottsdale’s dispositive motion is May 29, 2014, whereby the opposition would be
 27 due on May 15, 2014, and the reply would be due on May 22, 2014.

28 THEREFORE, the parties respectfully request that the Court continue the hearing for

I Scottsdale's summary judgment motion to May 29, 2014 at 1:30 p.m., or as soon thereafter as the
2 matter may be heard, with the opposition deadline continued to May 15, 2014 and the reply
3 deadline continued to May 22, 2014. The parties also respectfully request that the Court
4 continue the further Case Management Conference to May 29, 2014 or to the date of the hearing
5 on Scottsdale's summary judgment motion. An updated joint CMC statement shall be filed by
6 May 22, 2014 or to a date one week prior to the further Case Management Conference.

IT IS SO STIPULATED, AGREED, AND RESPECTFULLY REQUESTED.

8 DATED: March 14, 2014 BARDELLINI, STRAW, CAVIN & BUPP, LLP

By:

John F. Cavin
Steven J. Kahn
Attorneys for Plaintiff
THOMAS J. KERRINS d.b.a. SQUARE ONE
REAL ESTATE & SQUARE ONE FINANCIAL

13 | DATED: March 14, 2014

SEDGWICK LLP

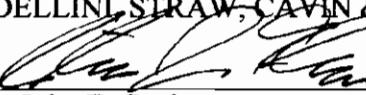
By:

Brian D. Harrison
Veena A. Mitchell
Attorneys for Defendant
SCOTTSDALE INSURANCE COMPANY

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2 matter may be heard, with the opposition deadline continued to May 15, 2014 and the reply
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6 May 22, 2014 or to a date one week prior to the further Case Management Conference.

7 IT IS SO STIPULATED, AGREED, AND RESPECTFULLY REQUESTED.

8 DATED: March 14, 2014 BARDELLINI, STRAW, CAVIN & BUPP, LLP

9 By: 

10 John F. Cavin
11 Steven J. Kahn
12 Attorneys for Plaintiff
13 THOMAS J. KERRINS d.b.a. SQUARE ONE
14 REAL ESTATE & SQUARE ONE FINANCIAL

15 DATED: March 14, 2014 SEDGWICK LLP

16 By: _____

17 Brian D. Harrison
18 Veena A. Mitchell
19 Attorneys for Defendant
20 SCOTTSDALE INSURANCE COMPANY

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ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS ORDERED that:

The hearing for Scottsdale Insurance Company's summary judgment motion is continued to May 29, 2014 at 1:30 p.m. The opposition to the motion is due on May 15¹, 2014. The reply is due on May 22⁸, 2014. The Case Management Conference is continued to May 29, 2014 at 1:30 p.m. An updated CMC Statement shall be filed by May 22, 2014.

IT IS SO ORDERED.

DATED: 3/17/14

